



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2010 REGULAR SESSION

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SENATE BILL NO. 30

AS ENACTED

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MONDAY, MARCH 29, 2010

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RECEIVED AND FILED  
DATE April 13, 2010  
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\_\_\_\_\_  
TREY GRAYSON  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Adler

AN ACT relating to the military family assistance trust fund.

***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

1        ➔Section 1. KRS 36.474 is amended to read as follows:

2        (1) During active duty of a regular member of the United States Armed Forces  
3        deployed outside the United States who names Kentucky as home of record for  
4        military purposes, or any federal active duty of a member of a state National Guard  
5        or a Reserve component, who names Kentucky as home of record for military  
6        purposes, and for **one hundred eighty (180)**~~ninety (90)~~ days following the end of  
7        deployment outside the United States or deactivation, as appropriate, trust fund  
8        moneys shall be used to support:

9        (a) The person who names Kentucky as home of record for military purposes;

10       (b) The person's Kentucky resident spouse;~~and~~

11       (c) The person's dependent or dependents;**or**

12       **(d) A group of several members of the military or their families as described in**  
13       **paragraphs (a) to (c) of this subsection.**

14       (2) An application for a trust fund grant may be filed by the member who names  
15       Kentucky as home of record for military purposes or his or her Kentucky resident  
16       spouse. The application shall be accompanied by an appropriate authorization to  
17       access personnel information contained in the military database Defense Enrollment  
18       Reporting System (DEERS) for verification purposes.

19       (3) Subject to the availability of trust fund moneys, the adjutant general shall award a  
20       grant to an applicant **described in paragraphs (a) to (c) of subsection (1) of this**  
21       **section** if that person's application is need-based, and the amount of the grant does  
22       not exceed the dollar cap established by the board through the promulgation of  
23       administrative regulations. An application shall be need-based if:

24       (a) Funds are requested for necessary expenses incurred, or to be incurred.

25       Necessary expenses shall include but not be limited to:

- 1           1.    Housing;
- 2           2.    Utilities;
- 3           3.    Groceries;
- 4           4.    Health insurance copay; and
- 5           5.    Child care;
- 6           (b)   The necessary expenses created, or will create, an undue hardship on a person
- 7                 referred to in subsection (1) of this section;
- 8           (c)   The undue hardship is directly related to the member's deployment outside the
- 9                 United States or federal active duty, as appropriate;
- 10          (d)   The applicant does not have reasonable access to any other funding source,
- 11                 whether public or private; and
- 12          (e)   The military family assistance trust fund is the last resort.

13   **(4) Subject to the availability of trust fund moneys, the adjutant general may expend**  
 14   **trust fund money, in amounts up to one thousand dollars (\$1,000) per situation**  
 15   **and up to ten thousand dollars (\$10,000) per calendar year, to benefit individuals**  
 16   **described in paragraph (d) of subsection (1) of this section if:**

17   **(a) The individuals have a demonstrated need that affects their health, safety,**  
 18   **or well-being; and**

19   **(b) A majority of the members of the military family assistance trust fund board**  
 20   **has approved the expenditure, verbally or in writing.**

21   **(5) Subject to the availability of trust fund moneys, the director of the Kentucky**  
 22   **National Guard Family Services Program within the Kentucky Department of**  
 23   **Military Affairs may expend trust fund money, in amounts up to one thousand**  
 24   **dollars (\$1,000) per situation and up to ten thousand dollars (\$10,000) per**  
 25   **calendar year, to benefit individuals described in subsection (1) of this section if:**

26   **(a) The individuals have a demonstrated need that affects their health, safety,**  
 27   **or well-being; and**


1       **(b) A majority of the members of the military family assistance trust fund board**  
 2       **has approved the expenditure, verbally or in writing.**

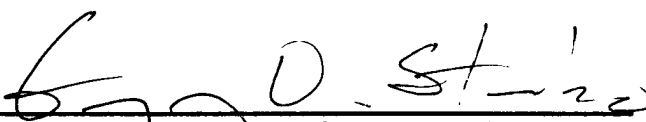
3       ~~(6) [(4)]~~ (a) The adjutant general shall award or decline to award a grant within sixty  
 4       (60) days of receiving an application.

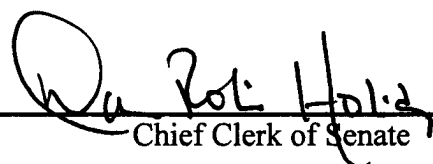
5       (b) If the adjutant general awards or declines to award a grant, he or she shall state  
 6       in writing the reason for the decision and keep the writing on file.

7       (c) If the adjutant general declines to award a grant, he or she shall provide the  
 8       applicant with a copy of the writing referred to in paragraph (b) of this  
 9       subsection. In addition, if the adjutant general declines to award a grant due to  
 10      the availability of public or private funds, the adjutant general shall identify  
 11      the source of available funds for the applicant and provide assistance with  
 12      regard to seeking funds from that source.

13      ~~(7) [(5)]~~ No later than August 15, 2006, the military family assistance trust fund board  
 14      shall promulgate emergency administrative regulations to carry out the provisions of  
 15      this section. These emergency regulations shall, at a minimum, enhance  
 16      administrative efficiency and limit the dollar amount that a person may receive in  
 17      grants per twelve (12) month period.

  
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President of Senate

  
\_\_\_\_\_  
Speaker-House of Representatives

Attest:   
\_\_\_\_\_  
Chief Clerk of Senate

Approved   
\_\_\_\_\_  
Governor

Date   
\_\_\_\_\_  
April 13, 2010